

#21A  
10-24-00  
M.L.

Patent Attorney's Docket No. 012712-905

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

REQUEST FOR FILING CONTINUATION/DIVISIONAL  
APPLICATION UNDER 37 C.F.R. § 1.53(b)

Box PATENT APPLICATION  
Assistant Commissioner for Patents  
Washington, D.C. 20231

JC564 U.S. PTO  
09/612914  
07/10/00

Sir:

This is a request for filing a ☒ continuation ☐ divisional application under 37 C.F.R. § 1.53(b) of pending Application No. 08/523,894 filed on September 6, 1995, for RECOMBINANT ANTI-CD4 ANTIBODIES FOR HUMAN THERAPY, by the following named inventor(s):

- (a) Full Name Nabil HANNA
- (b) Full Name Roland Anthony NEWMAN
- (c) Full Name Mitchell Elliot REFF

☒ The entire disclosure of the prior application from which a copy of the oath or declaration is supplied herewith is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

☐ This application is being filed by less than all the inventors named in the prior application. In accordance with 37 C.F.R. 1.63(d)(2), the Commissioner is requested to delete the name(s) of the following person or persons who are not inventors of the invention being claimed in this application.

- (a) Full Name \_\_\_\_\_
- (b) Full Name \_\_\_\_\_
- (c) Full Name \_\_\_\_\_

☐ This application is being filed by more than all the inventors named in the prior application. In accordance with 37 C.F.R. 1.63(d)(2), the Commissioner is requested to add the name(s) of the following person or persons who are inventors of the invention being claimed in this application.



21839

JC665 U.S. PTO  
07/10/00

08/523,894 09/06/95

- (a) Full Name \_\_\_\_\_  
(b) Full Name \_\_\_\_\_  
(c) Full Name \_\_\_\_\_

1. ☒ Enclosed is a copy of the prior Application No. 08/523,894 as originally filed on September 6, 1995, including copies of the specification, claims, drawings and the executed oath or declaration as filed, and including an executed oath or declaration filed on May 15, 2000.
2. ☐ Enclosed is a revised prior application and a copy of the prior executed oath or declaration as filed. No new matter has been added to the revised application.
3. ☒ One statement(s) claiming small entity status ☐ are enclosed ☒ was filed in prior Application No. 08/523,894, filed on September 6, 1995.
4. ☒ The filing fee is calculated below ☐ and in accordance with the enclosed preliminary amendment:

C L A I M S					
	NO. OF CLAIMS		EXTRA CLAIMS	RATE	FEE
Basic Application Fee					\$690.00 (101)
Total Claims	36	MINUS 20 =	16	x \$18.00 (103) =	288.00
Independent Claims	2	MINUS 3 =	0	x \$78.00 (102) =	0.00
If multiple dependent claims are presented, add \$260.00 (104)					0.00
Total Application Fee					\$978.00
If small entity status is claimed, subtract 50% of Total Application Fee					489.00
Add Assignment Recording Fee of if Assignment document is enclosed					0.00
<b>TOTAL APPLICATION FEE DUE</b>					<b>\$489.00</b>

5. ☐ Charge \$ \_\_\_\_\_ to Deposit Account No. 02-4800 for the fee due.
6. ☒ A check in the amount of \$ 489.00 is enclosed for the fee due.

7. ☒ The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.
8. ☐ Cancel in this application original claims \_ of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)
9. ☒ Amend the specification by inserting before the first line the sentence: This application is a ☒ continuation, ☐ divisional, of Application No. 08/523,894, filed September 6, 1995, which is a continuation-in-part of Application No. 08/476,237, filed June 7, 1995, which is a continuation-in-part of Application No. 08/397,072, filed April 17, 1995, which is a continuation of Application No. 07/912,292, filed July 10, 1992, which is a continuation-in-part of Application No. 07/856,281, filed March 23, 1992 (abandoned), and a continuation-in-part of Application No. 07/735,064, filed July 25, 1991 (abandoned).--
10. ☐ Transfer the drawings from the pending prior application to this application and abandon said prior application as of the filing date accorded this application. A duplicate of this paper is enclosed for filing in the prior application file. (May only be used if signed by person authorized under 37 C.F.R. § 1.138 and before payment of issue fee.)
11. ☒ New drawings are enclosed.
12. ☐ Priority of Application No. \_ filed on \_ in \_ (country) is claimed under 35 U.S.C. § 119.  
☐ The certified copy of the priority application  
☐ is enclosed  
☐ was filed on \_ in prior Application No. \_\_, filed on \_  
☐ has not yet been filed.
13. ☐ A preliminary amendment is enclosed.
14. ☐ An Information Disclosure Statement is enclosed.
15. ☐ A General Authorization for Payment of Fees and Petitions for Extensions of Time is enclosed.
16. ☒ Also enclosed Request for Listing of References Considered by Examiner, Request for Use of sequence listing as provided in the parent application.
17. ☒ The power of attorney in the prior application is to E. Joseph Gess.  
a. ☒ The power appears in the original papers in the prior application.  
b. ☐ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.

- c. ☒ Recognize as Associate Attorney Robin L. Teskin, Reg. No. 35,030.
- d. ☒ Address all future communications to: (May only be completed by applicant, or attorney or agent of record.)

E. Joseph Gess  
BURNS, DOANE, SWECKER & MATHIS, L.L.P.  
P.O. Box 1404  
Alexandria, Virginia 22313-1404

Date: July 10, 2000  
Date

By: E. Joseph Gess  
E. Joseph Gess  
Registration No. 28,510 *by Robin L. Teskin*  
*Reg # 35,030*

ADDRESS OF  
SIGNATOR:

BURNS, DOANE, SWECKER & MATHIS, L.L.P.  
P.O. Box 1404  
Alexandria, Virginia 22313-1404  
(703) 836-6620

- ☐ inventor(s)  
☐ assignee of complete interest  
☒ attorney or agent of record  
☐ filed under 37 C.F.R. § 1.34(a)

#3

Patent  
Attorney's Docket No. 012712-905

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of	)	Attention: <b>DRAFTING BRANCH</b>
	)	
Nabil HANNA et al	)	
	)	Group Art Unit: Not Assigned
Application No.: Not Assigned	)	
	)	Examiner: Not Assigned
Filed: July 10, 2000	)	
	)	
For: RECOMBINANT ANTI-CD4	)	
ANTIBODIES FOR HUMAN THERAPY	)	

**SUBMISSION OF FORMAL DRAWINGS**

Assistant Commissioner for Patents  
Washington, D.C. 20231


**ATTN: OFFICIAL DRAFTSMAN**

Sir:

Enclosed please find thirty-two (32) sheets of formal drawings for review by the Patent and Trademark Office in connection with the above-identified application. Should the enclosed drawings require changes, it is respectfully requested that the Patent and Trademark Office notify the undersigned of same.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

By:   
Robin L. Teskin  
Registration No. 35,030

P.O. Box 1404  
Alexandria, VA 22313-1404  
(703) 836-6620

Date: July 10, 2000

000720-47667960

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of	)	
	)	
Nabil HANNA et al	)	Group Art Unit: Not Assigned
	)	
Application No.: Not Assigned	)	Examiner: Not Assigned
	)	
Filed: July 10, 2000	)	
	)	
For: RECOMBINANT ANTI-CD4	)	
ANTIBODIES FOR HUMAN	)	
THERAPY	)	
	)	
	)	



**REQUEST FOR LISTING OF REFERENCES CONSIDERED BY EXAMINER**

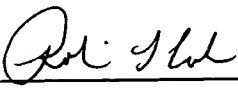
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Attached is a 1449 Form listing the documents of record in parent Application No. 08/523,894, filed September 6, 1995, and considered by the Examiner in accordance with M.P.E.P. 609. It is requested that these documents be listed on any patent issuing from the above-identified application, and that Examiner-initialed copies of the 1449 Form be returned to the undersigned.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

By:   
Robin L. Teskin  
Registration No. 35,030

P.O. Box 1404  
Alexandria, Virginia 22313-1404  
(703) 836-6620

Date: July 10, 2000

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of )  
)  
Nabil HANNA et al ) Group Art Unit: Not Assigned  
)  
Application No.: Not Assigned ) Examiner: Not Assigned  
)  
Filed: July 10, 2000 )  
)  
For: RECOMBINANT ANTI-CD4 )  
ANTIBODIES FOR HUMAN )  
THERAPY )

**REQUEST FOR USE OF SEQUENCE LISTING**  
**AS PROVIDED IN THE PARENT APPLICATION**

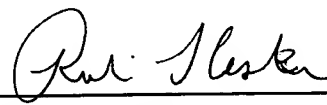
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

It is respectfully requested that the Sequence Listing disk submitted in parent Application No. 08/523,894, filed September 6, 1995, be used to create the Sequence Listing for the above-identified application. For the convenience of the Office, provided herewith is a paper copy of the Sequence Listing filed on November 6, 1995, in the parent application.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

By:   
Robin L. Teskin  
Registration No. 35,030

P.O. Box 1404  
Alexandria, Virginia 22313-1404  
(703) 836-6620

Date: July 10, 2000